

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
ASHEVILLE DIVISION  
CIVIL ACTION NO. 1:18-CV-022-DCK**

<b>ROBERT MICHAEL TUTTLE,</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	<b><u>ORDER</u></b>
<b>v.</b>	)	
	)	
<b>NANCY A. BERRYHILL,</b>	)	
<b>Acting Commissioner of Social Security,</b>	)	
	)	
<b>Defendant.</b>	)	
_____	)	

**THIS MATTER IS BEFORE THE COURT** on “Plaintiff’s Petition For Attorney Fees Under The Equal Access To Justice Act 28 U.S.C. § 2412” (Document No. 20) filed September 26, 2018. The parties have consented to Magistrate Judge jurisdiction pursuant to 28 U.S.C. § 636(c), and the motion is ripe for disposition. After careful review of the motion and the record, and noting consent of Defendant’s counsel, the undersigned will grant the motion.

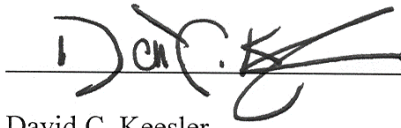
**IT IS, THEREFORE, ORDERED** that “Plaintiff’s Petition For Attorney Fees Under The Equal Access To Justice Act 28 U.S.C. § 2412” (Document No. 20) is **GRANTED**; and it appearing that the parties have agreed that the Commissioner of Social Security should pay the sum of \$5,270.00, in full and final settlement of all claims arising under the Equal Access to Justice Act (“EAJA”). *See* 28 U.S.C. § 2412(d).

**IT IS FURTHER ORDERED** that the Commissioner of Social Security pay to Plaintiff the sum of \$5,270.00, in full satisfaction of any and all claims arising under EAJA, 28 U.S.C. § 2412(d), and upon the payment of such sum, this case is dismissed with prejudice. If the award to Plaintiff is not subject to the Treasury Offset Program, payment will be made by check payable to Plaintiff’s counsel, Charlotte Hall, and mailed to her office at P.O. Box 10629, Raleigh, North

Carolina, 27605, in accordance with Plaintiff's assignment to her attorney of her right to payment of attorney's fees under the Equal Access to Justice Act. If the payment is subject to offset, then any remaining fee will be made payable to Plaintiff and mailed to Plaintiff's counsel's office address.

**SO ORDERED.**

Signed: September 26, 2018

  
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David C. Keesler  
United States Magistrate Judge

